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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

LEE, BENNY T

ART UNIT

PAPER NUMBER

2817

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT

PAPER NUMBER

5

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 29 Oct 2001 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-5 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-5 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

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EXAMINER'S ACTION

SN 38227

Art Unit: 2817

The disclosure is objected to because of the following informalities: Page 1, 7th line from the bottom, note that ~~--described--~~ should precede "above" for clarity of description. Page 2, line 6, note that ~~--one--~~ should follow "each" for clarity; line 17, note that ~~"impossibility to reduce"~~ should be rephrased for clarity; line 19, note that ~~"fitting work"~~ is vague in meaning and should be rephrased; line 23, note that ~~"intervene between"~~ should be rephrased for clarity. Page 3, lines 1, 2, note that ~~"a cost boosting factor"~~ should be rephrased for clarity; line 5, note that ~~"attempted in view"~~ should be rephrased for clarity; line 8, note that ~~"the assembling work"~~ should be rephrased as ~~--assembly--~~. Pages 4-6, note that ~~--view--~~ should follow appropriate occurrences of "plan" and "section", respectively throughout the brief description of the drawings and the detail description of the invention. Page , 6th line from the bottom, note that ~~"and out of the ..."~~ should be rephrased for clarity.

Page 8, line 20 to page 9, line 2. Note that the reference numbers described therein need to be specifically reference the particular ones of Figs. 7, 8, 9 in which they actually appear. Page 9, lines 14-25, should reference to Fig. ~~"2c"~~ correctly refer to ~~--2b--?~~.

Appropriate correction is required.

The drawings are objected to because of the following: In figs. ~~1a, 7/8/9/10~~, note that reference labels (1a, 1b) need to be provided. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, it is unclear whether both of "the two pin members have an L shape" is a proper characterization. Moreover, it is unclear whether "a ground pattern overlying the circuit substrate" is a proper characterization (i.e. as opposed to ~~--underlying--~~ the circuit substrate).

The following claims have been found objectionable for reasons set forth below"

In claim 1, note that ~~--respectively--~~ should precede "positioned" and ~~--corresponding--~~ should precede "waveguides" for a proper characterization.

In claim 4, should ~~--respective--~~ precede "short caps" and ~~--corresponding--~~ precede "reflective faces" for a proper characterization?

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35

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U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4, 5 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Yoshida et al.

Yoshida discloses a waveguide convertor comprising a casing (20) having two waveguides (21, 22) as therein as best depicted in fig. 4 for receiving polarized signals. A circuit board (25), shown in Fig. 6, discloses orthogonal probes (L1, L2) characterized by pins or conductive patterns supported by the circuit board and protruding into each waveguide such that orthogonally polarized signals can be received by the pins or conductive patterns. Again referring to Fig. 5, casing (20) functions to effect a back short for the probes.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miyazaki et al discloses plural probes for coupling to a waveguide.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number (703) 308-4902.


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817

B LEE/pj

12/26/02